

**FILED**

DECEMBER 9, 1982

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF MEDICAL EXAMINERS  
DOCKET NO. H82-5132

In The Matter of an Inquiry into )	
the Professional Practice of: )	Administrative Action
DAVID SINGER, D.C. )	
License No. 1354 )	CONSENT ORDER
Licensed to Practice Chiropractic )	
in the State of New Jersey. )	

This matter was opened to the New Jersey State Board of Medical Examiners on August 3, 1982 on inquiry into certain professional practices of Dr. Singer. The inquiry was commenced by receipt of items of advertising associated with Dr. Singer, including the following:

1. A 1981 advertisement for a seminar at which Dr. Singer would teach chiropractors "how to see 60 patients per hour;"
2. A Spring 1982 letter sent to families of New Brunswick Police Benevolent Association members asserting that "Tall Pines Chiropractic Center

- has been chosen to be the New Brunswick Police Benevolent Association chiropractors." This letter indicates the chiropractors treat many symptoms including, among others, numbness, dizziness and auto accident injuries. The letter further identifies Dr. David Singer as the Director of the Tall Pines Chiropractic Center; and
3. The distribution to members of the public in June 1982 and prior thereto of "checks" offering the value of \$50 or \$100 toward the cost of first examination and subsequent chiropractic care.

With respect to Item 1, Dr. Singer has acknowledged by letter of October 8, 1981 that the reference to seeing 60 patients an hour dealt, in fact, with seven (7) chiropractors working "under one roof." This ad may be misrepresentative.

As for Item 2, Dr. Singer produced a letter bearing his signature and that of another person, Frank Ginesi, President of the PBA. However, the letter was untitled and carried no apparent Union authority. A review of that letter leaves open the question concerning whether Dr. Singer in fact has authority to offer chiropractic services for the "Tall Pines Chiropractic Center," since the "Center" is not Singer's private practice, nor is it an incorporated professional association, nor is he a retained "Director" having any clear authority over the six or seven other independent practitioners. The document may not accurately represent the actual circumstances.

Item 3 may constitute a violation of N.J.A.C. 13:35-6.13 which prohibits solicitation of potential patients by offering discount inducements to persons to seek professional services, possibly in the absence of symptomatology.

In further discussion, it appears that Dr. Singer leases professional office space to the other practitioners in the building, with the rent being based in part upon payment of a percentage of the chiropractor's income. This type of arrangement may be considered by the Board to be a form of professional misconduct.

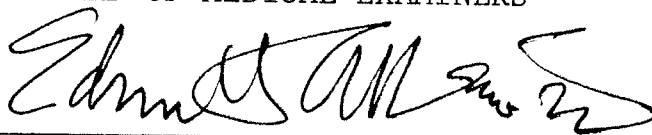
All of the above, separately and together, present a possibility of misrepresentation, N.J.S.A. 45:1-21(b), and of improper solicitation, N.J.A.C. 13:35-6.13, which the Board deems to be not in the public interest. Therefore, in order to amicably resolve this investigation prior to the making of any findings or determinations by the Board, Dr. Singer agrees, without any admission of any wrongdoing or any violation, to refrain from engaging in the above-described activities unless and until such regulations and restrictions are no longer in force and effect and to clarify his association with Tall Pines Center and/or Tall Pines Chiropractic Center, as well as any other practitioners located at that address, and shall insure that any advertisements distributed to the public by him or under his authority specify who is assuming the professional responsibility for representations made therein. Dr. Singer agrees to resolve this informal inquiry (which shall not be considered a disciplinary proceeding) by the payment of \$2,500 to the New Jersey

State Board of Medical Examiners within ten (10) days of the entry of this Consent Order.

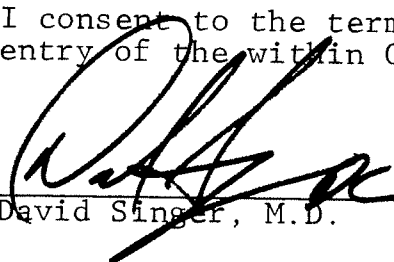
It is understood that the Board is presently unaware of any other matters now pending concerning Dr. Singer and that this Consent Order constitutes full resolution of the matter.

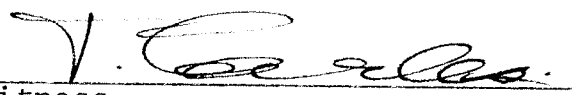
This Consent Order is effective upon entry.

STATE BOARD OF MEDICAL EXAMINERS

By:   
Edwin H. Albano, M.D.  
President

I consent to the terms and entry of the within Order.

  
David Singer, M.D.

  
Witness

11/22/82  
Date